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Public Service Commission of Wisconsin
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August 21, 2006

Edward Marion, Administrative Law Judge
Public Service Commission of Wisconsin
P.O. Box 7854
Madison WI 53707-7854

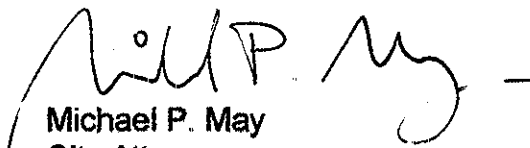
RE: Application of American Transmission Company, LLC, as an Electric Public Utility,
to Construct a New 138 kV Transmission Line from the North Madison Substation
to the Huiskamp Substation in the Towns of Vienna and Westport in Dane County,
Wisconsin.

Docket No. 137-CE-139

Greetings:

I enclose on behalf of City of Madison a Motion to Intervene and Motion to Consolidate
relating to Docket 137-CE-139.

Very truly yours,


Michael P. May
City Attorney

Encl.

cc: Service List
Mayor Dave Cieslewicz
Common Council Members

**PUBLIC SERVICE COMMISSION
SERVICE LIST**

RE: Application of American Transmission Company, LLC, as an Electric Public Utility, to Construct a New 138 kV Transmission Line from the North Madison Substation to the Huiskamp Substation in the Towns of Vienna and Westport in Dane County, Wisconsin.

Docket No. 137-CE-139

AMERICAN TRANSMISSION COMPANY

Stephen Parker
PO Box 47
Waukesha WI 53187-0047
(Email: sparker@atcllc.com)

**CITIZENS FOR RESPONSIBLE ENERGY AND
WIRE SAFE WISCONSIN**

Robin and Howard Stearns
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(Email: robin.stearns@charter.net)

PUBLIC SERVICE COMMISSION OF WISCONSIN

(not a party, but documents must be filed with the Commission)
610 North Whitney Way
PO Box 7854
Madison WI 53707-7854

BEFORE THE
PUBLIC SERVICE COMMISSION OF WISCONSIN

Application of American Transmission Company, LLC, as an
Electric Public Utility, to Construct a new 138kV
Transmission Line From the North Madison Substation to the
Huiskamp Substation in the Towns of Vienna and Westport
in Dane County, Wisconsin. Docket 137-CE-139

**THE CITY OF MADISON'S
MOTION TO INTERVENE
AND MOTION TO CONSOLIDATE ATC'S DANE COUNTY TRANSMISSION
PROCEEDINGS FOR JOINT EVALUATION OF NEED**

The City of Madison, a Wisconsin municipal corporation, hereby moves to
intervene in the above docket. Madison also moves that this docket be combined with
other ATC transmission proceedings impacting Madison and Dane County, including
the Rockdale-West Middleton 345 KV proposal, the North Madison-West Middleton 345
KV proposal, and the West Middleton-Walnut-Blount 138KV proposal, for a joint
examination and hearing on issues of need and alternatives to transmission line
construction.

MOTION TO INTERVENE

1. The City of Madison is a municipal corporation located in Dane County,
Wisconsin. Madison is the largest City in Dane County.
2. This docket is one of several ATC transmission proposals related to
proposed transmission construction in Dane County, Wisconsin. Included among those
other transmission facilities are the proposed Rockdale-West Middleton 345 KV line
(ATC intends to file an application for certificate for this line later in 2006), a West

Middleton-Walnut-Blount 138 KV line, and a North Madison-West Middleton 345 KV line (collectively, the Dane County Lines).

3. Each of the above proposed transmission lines will have an impact upon the City of Madison and its residents, both in terms of environmental impacts and the rates to be paid for the transmission facilities at issue. In addition, studies relating to the need for and alternatives to at least some of these lines have been conducted by ATC by making assumptions about which other lines will be in place. Thus, by ATC's own analyses, construction of some of these lines will impact the need for and analysis of other Dane County Lines. Some of the Dane County Lines may be constructed within the City of Madison.

4. As the first of the Dane County Lines to reach the stage of a full proceeding at the Public Service Commission, the Waunakee Transmission Project docket will make determinations with respect to load growth, need in some or all of the Dane County area, and whether alternatives to transmission construction are viable. As such, this docket has a direct impact on the City of Madison and its residents and the City's ability to participate effectively in future dockets related to the Dane County Lines. Issues with respect to load growth, need, impact of some of the Dane County Lines on other such Lines, and alternatives to transmission line construction will be common issues in each of these Dane County transmission proceedings. Thus, in order to protect its interests as to these issues in other dockets, the City of Madison moves to intervene in the Waunakee docket.

For all the above reasons, the City of Madison has substantial interest which may be affected by the Commission's action or inaction in this docket and the City of

Madison should be granted intervention pursuant to Wis. Adm. Code Sec. PSC 2.21(1). Alternatively, the City of Madison is entitled to permissive intervention under Sec. PSC 2.21(2) because its participation will likely promote the proper disposition of the issues to be determined in this proceeding.

MOTION TO CONSOLIDATE ATC'S DANE COUNTY TRANSMISSION PROCEEDINGS FOR JOINT EVALUATION OF NEED

5. The City of Madison hereby moves to consolidate this docket with other Dane County Lines dockets that either will or may be filed in the near future. Madison requests this consolidation solely with respect to issues related to load growth, need for lines, impact of lines on other lines, and alternatives to construction of the lines. Issues with respect to routing and siting would still be determined in individual dockets.

6. The projects on which a consolidated evaluation and hearing should be conducted are the Waunakee project, the Rockdale-West Middleton project, the West Middleton-Walnut-Blount project, and the North Madison-West Middleton project.

7. ATC funded and participated in an examination of number of these projects through the "Energy Initiative Report on Electric Reliability in Dane County" (the EI Report). The EI Report examined some, but not the full combination of, the need for the Dane County Lines projects. The EI Report did not conduct a comprehensive least-cost analysis of need. The Public Service Commission has not taken a comprehensive examination of the need for, nor a least-cost analysis of, these proposed transmission lines in Dane County. In order to determine on a comprehensive and coordinated basis whether any or all of these Dane County Lines are needed, the

Commission must either consolidate the dockets, open a separate docket solely to deal with issues of load growth, need, joint impact, and alternatives to transmission line construction, or combine an examination of these issues in one docket. Absent such action by the Commission, it will not be possible to determine important questions about the cumulative impacts of these projects, questions such as:

- a. Will construction of one or more lines obviate the need for some, or some portion of the other lines?
- b. Are the load growth projections used for these lines reasonable, and are the transmission system analyses rigorous for the cumulative impact of the lines?
- c. Do alternatives such as load management, dispersed generation, or new technologies such as Aluminum Composite Conductor Reinforced (ACCR) mean that some or some portion of the lines may not be needed? What would a full least-cost analysis of the proposed lines demonstrate?
- d. Does the need analysis properly account for the limited hours of peak load needs?
- e. Has ATC examined whether operating guides could effectively forestall some need for some or some portion of the lines?

8. As currently structured, some or all of issues identified above may be determined in the Waunakee docket, and effectively foreclose those issues in other Dane County Lines dockets. In addition, by failing to look at transmission needs in Dane County as a whole, but examining each proposed line in individual, piece-meal

proceedings, the Commission may miss opportunities to reduce the overall costs or find alternatives that may reduce costs or environmental impacts of these proposed transmission lines. In making such a comprehensive, least-cost analysis, the Commission should consider whether an independent, third-party review of the ATC proposals would provide significant, objective investigation of need and alternatives to construction.

9. Service of future filings herein should be made upon:

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CONCLUSION

For all the above reasons, the City of Madison asks that its Motion to Intervene be granted in this docket, and that the Commission consolidate proceedings related to planned Dane County transmission projects for purposes of determining load growth, need, and alternatives to construction.

Dated this 21st day of August, 2006.

THE CITY OF MADISON

By:


Michael P. May
City Attorney

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